

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

LEANNE NESTER,

Plaintiff(s),

V.

RECREATIONAL EQUIPMENT INC.,

Defendant(s).

Case No.: 2:17-cv-03103-MMD-NJK

Order

[Docket No. 30]

Pending before the Court is the parties' stipulation¹ to extend the discovery cut-off deadline one dispositive motion deadline by 60 days. Docket No. 30. The parties submit that additional time is needed to complete four depositions and that information from these depositions may affect the parties' claims in this case and, therefore, an extension is also warranted for the dispositive motions.

“A scheduling order is not a frivolous piece of paper, idly entered, which can be cavalierly disregarded by counsel without peril. The district court's decision to honor the terms of its binding scheduling order does not simply exalt procedural technicalities over the merits of [the parties'] case. Disregard of the order would undermine the court's ability to control its docket, disrupt the agreed-upon course of the litigation, and reward the indolent and the cavalier.” *Johnson v. Mammoth Recreations, Inc.*, 975 F.2d 604, 610 (9th Cir.1992) (internal citation and quotations omitted).

¹ The stipulation is labeled as the parties' first request, but it is actually the parties' third request.

1 A motion to extend deadlines in the Court's scheduling order must be supported by a
2 showing of "good cause" for the extension. Local Rule 26-4; *see also Johnson*, 975 F.2d at 608-
3 09. Good cause to extend a discovery deadline exists "if it cannot reasonably be met despite the
4 diligence of the party seeking the extension." *Johnson*, 975 F.2d at 609. The good cause inquiry
5 focuses primarily on the movant's diligence. *See Coleman v. Quaker Oats Co.*, 232 F.3d 1271,
6 1294-95 (9th Cir.2000).

7 Here, the parties fail to show they are conducting discovery diligently. The only discovery
8 conducted since the parties' second stipulation was denied is the deposition of third-party
9 Northwest River Supplies, Inc., which is scheduled to occur today. *Compare* Docket No. 26 at 2
10 *with* Docket No. 30 at 7. Accordingly, the parties' stipulation to extend discovery deadlines is
11 **DENIED** without prejudice. Docket No. 30.

12 IT IS SO ORDERED.

13 Dated: December 3, 2018

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Nancy J. Koppe
United States Magistrate Judge

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